

Department of Conservation

MAINE LAND USE REGULATION COMMISSION

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General Provisions

Chapter 1 of the Commission's Rules

Effective Date: August 27, 1990

Amended Effective: January 1, 2003

Chapter 1 General Provisions

Summary: This rule establishes a fee schedule for applications and petitions processed by the Maine Land Use Regulation Commission and prescribes fees for general administrative services including reproduction of documents and distribution of maps and publications.

1.01 Legal Authority

This rule is authorized and adopted under 12 M.R.S.A. sections 685-B(2) and 685-C(3).

1.02 Definitions

For the purposes of this rule, the following terms shall have the following meaning unless the context indicates otherwise:

- A. Commission: "Commission" means the Maine Land Use Regulation Commission.
- B. Development costs: "Development costs" means all costs of a proposed project including, without limitation, site preparation, building and road construction, installation of wastewater disposal systems and monitoring and erosion control devices, but shall not include the cost of acquiring the land.
- C. Director: "Director" means the Director of the Maine Land Use Regulation Commission.
- D. Minor changes: "Minor changes" means a revision or amendment to a permit previously issued by the Commission where the revision or amendment is a result of:
 - (1) transfer of ownership or permit holder;
 - (2) typographical errors or other errors of transcription;
 - (3) changing the phrasing of the Commission's written decision, where the phrasing is consistent with the intent of the Commission's decision; or
 - (4) corrections of dimensions or minor variations, expansions or changes affecting less than ten (10) percent of a structure or project.
 - (5) amending the permit expiration date, for other than major developments, provided there has been no substantive change in applicable statutes, rules or the Comprehensive Land Use Plan since issuance of the permit.

- E. Permit: "Permit" means any approval, license, certification or other authorization issued by the Commission, including amendments thereto.

1.03 [Reserved]

1.04 Schedule of Fees

A. Fees Established

The following fees will be assessed for processing applications, zoning petitions, and requests for advisory rulings and certificates of compliance.

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|---|------------------|
| 1) Advisory ruling requests | \$25.00 |
| 2) Service drop requests | \$25.00 |
| 3) Building permit applications | \$75.00 |
| 4) Development and utility line permit applications | \$325.00 |
| 5) Certificates of compliance | \$50.00 |
| 6) All other permit and amendment applications, excluding subdivision permits. | \$50.00 |
| 7) Subdivision permit applications and other permit amendment applications for additional lots: | \$300.00 per lot |
| 8) Subdivision permit certificates of compliance: | \$10.00 per lot |
| 9) Petitions for district boundary changes (zoning petitions): | |
| a) \$50.00 to change to a protection district | |
| b) \$250.00 to change to a management district | |
| c) \$500.00 to change to a development district except as provided below: | |
| (i) As provided in 12 M.R.S.A. § 685-B(2)(B), no fee will be assessed for district boundary changes from a management district to a development district. | |
| (ii) No fee shall be assessed to a governmental agency seeking to amend district boundaries | |

No fee shall be assessed for district boundary changes to or from an interim protection subdistrict or resulting from correction of an error as to the boundary of a district.

No Fee will be charged for Processing Notifications.

B. Special Service Fees Established

The following fees will be assessed to recover expenses incurred by the Commission in providing the services listed:

- 1) For reproduction of documents, transcripts or other records:
\$1.00 for the first page, and \$.25 cents per page thereafter.
- 2) For district boundary (zoning) maps:
\$3.00 per map plus applicable postage. An applicant paying the application fee may request and receive one district boundary map for application purposes without being assessed an additional fee.
- 3) For publications or rules:
No fee will be assessed for the first two copies of any publication or rule. Charges will be made for additional copies as follows:

a) Comprehensive Land Use Plan	\$10.00
b) Rules and Standards	\$5.00
c) All other publications or rules	\$3.00
- 4) For photographs, slides, electronically recorded or stored information, oversized documents, reduced size district boundary maps: or other items requiring special handling:
Actual cost of reproduction, handling and applicable postage.

C. Exceptions

- 1) The Director, at the Director's discretion, may reduce or waive the fees for special services for an agency of state government and application fees when the applicant is a governmental agency.
- 2) No fee shall be assessed for minor changes.
- 3) The Director, at the Director's discretion, may reduce or waive an application or special service fee when the applicant or person requesting the reduction or waiver demonstrates to the satisfaction of the Director that an extreme hardship or injustice would result from the payment of the fee.
- 4) If the director determines that a particular application, by virtue of its size, uniqueness, complexity or other relevant factors is likely to require a disproportionate share of state resources, the director may designate that application as subject to special fees, and may assess a fee of up to 0.25% of the estimated development cost.

D. Fee Payment

- 1) No application for a permit, special exception, zoning petition, certificate of compliance, advisory ruling or variance shall be processed until the fees have been paid in full in accordance with this rule.
- 2) All fees are non-refundable.

Authority: 12 M.R.S.A. section 681 et seq.

Effective: January 1, 2003